

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 16-CR-21

SAMY M. HAMZEH,

Defendant.

CONFIDENTIAL JUROR QUESTIONNAIRE

This questionnaire will be used to assist the Court and the lawyers in jury selection for this case. It is designed to obtain information about your background, experience, and views as they relate to your possible jury service. The use of this questionnaire may avoid the necessity of asking these questions to potential jurors in open court, thereby greatly shortening the process. Unless the question states otherwise, the fact that a particular question is asked does not imply that the subject matter of the question is an issue in this case.

Your answers to these questions will only be used by the parties, the judge, and their assistants. Your answers will be kept confidential. It may be necessary to follow up on some responses with additional questions. Please mark any of your responses with a (*) if you prefer that any follow up questions be asked privately. Complete and truthful answers to all of these questions are essential.

Please answer each question as completely and accurately as you can. Answer each question by yourself, without anyone's help. If you need assistance in completing the questionnaire, please ask the court staff for help. If you are not sure whether a question applies to you, please answer it. If you need additional space for your responses, please use the pages provided at the end of the questionnaire.

Please remember that there are no “right” or “wrong” answers to these questions. It is essential that you be **complete** and **honest**. Do not leave any questions blank – if a question does not apply to you, write “N/A”. You are expected to sign your questionnaire and your answers will be given the same effect as a statement given to the Court under oath.

DO NOT DISCUSS THIS CASE WITH ANYONE. THAT INCLUDES FRIENDS AND FAMILY MEMBERS. IF YOU NEED ASSISTANCE IN COMPLETING THE QUESTIONNAIRE PLEASE NOTIFY COURTROOM STAFF BY ()

DO NOT READ, WATCH, OR LISTEN TO ANY MEDIA ACCOUNTS OR CONVERSATIONS ABOUT THIS CASE. DO NOT GO ON THE INTERNET AND LOOK UP ANY NEWS STORIES OR WEBSITES THAT MAY PERTAIN TO THIS CASE. IF YOU ARE EXPOSED ACCIDENTALLY TO INFORMATION OR DISCUSSION ABOUT THIS CASE, PLEASE INFORM THE JUDGE WHEN YOU APPEAR FOR INDIVIDUAL QUESTIONING.

Juror No. _____

1. Name: _____

2. Your age: _____ Your race: _____ Your gender: _____

Your ethnic background: _____

3. What city and county do you live in? _____

4. How long have you lived at your current address? _____

5. What other cities or communities have you lived in and during what periods of time did you live there? _____

6. What is your marital status? _____

7. Do you have children or step-children? If so, please list their sex(es), age(s), occupation(s), if any; and, place(s) of residence:

<u>Son/Daughter</u>	<u>Age</u>	<u>Occupation/Grade in School</u>	<u>Residence</u>
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_____	_____	_____	_____
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_____	_____	_____	_____
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8. Have you, or anyone close to you, received training or taken courses, in any of the following areas?

_____ Criminal Justice

_____ Forensic sciences (fingerprints, DNA, trace evidence)

_____ Law

_____ Law Enforcement

_____ Religion

_____ Terrorism

_____ Firearms or Weaponry

If you answered yes to any of the above areas, please describe:

9. What is the highest level of education that you completed? _____

If you attended any school after high school, please list the name and location of each school, your major area(s) of study and any certificates or degrees that you received:

<u>School</u>	<u>Location</u>	<u>Area of Study</u>	<u>Degree/Certificate</u>

Do you plan to attend school in the future? If yes, please explain what you plan to study: _____

10. What is your employment status: (check all that apply)

- _____ Full-time homemaker
- _____ Homemaker with part-time employment
- _____ Unemployed--looking for work
- _____ Unemployed--not looking for work
- _____ Work full-time outside the home
- _____ Work part-time outside the home
- _____ Student
- _____ Retired
- _____ Disabled
- _____ Other (please specify)

11. If you are currently unemployed, or retired, what is/was your occupation, and last employment?

12. If you are currently employed, where do you work, and what kind of work do you do?

13. A. Other than your current job, or your last job if you are retired or unemployed, what other kinds of jobs have you had, or pursued in the past? (Please include any volunteer jobs/positions)

B. Do you currently, or have you ever, supervise(d) others at your job? If yes, how many people?

14. If you are married or living with a partner, what is your spouse or partner's employment status:

- ☐ Full-time homemaker
- ☐ Homemaker with part-time employment
- ☐ Unemployed--looking for work
- ☐ Unemployed--not looking for work
- ☐ Work full-time outside the home
- ☐ Work part-time outside the home
- ☐ Student
- ☐ Retired
- ☐ Disabled
- ☐ Other (please specify)

If you are widowed, divorced or separated, what was your former spouse or partner's employment status?

15. What is your spouse or domestic partner's (and if applicable, former spouse or partner) current occupation and job title?

What is your spouse or partner's (and if applicable, former spouse or partner) last level of education completed?

16. Have you, your spouse or partner, or anyone close to you ever served in the military (including Reserves, National Guard or ROTC)? ☐ Yes ☐ No

If yes, please state whether the person is you, your spouse or partner or the person's relationship to you, what branch of service and the rank: _____

<u>Self/Relationship to you</u>	<u>Branch</u>	<u>Rank</u>	<u>Years of Service</u>

Did you or this person ever see combat? If yes, please explain:

17. Have you or anyone close to you ever been employed in any capacity by, or volunteered to help, any local, state or federal law enforcement or other investigative agency, including a police or sheriff's department, State Police, FBI, OSHA, IRS, U.S. Marshal Service, Customs, etc.? If yes as to yourself, please describe the agency and your job (if yes as to someone close to you, please describe that person's job and relationship to you).

18. Whether or not you are employed by, or volunteered for, a law enforcement or other investigative agency, have you ever had any contact with anyone in any such agency through your work, in your neighborhood, or in your social life? If yes, please explain:

19. Have you or anyone close to you ever been employed in any capacity or volunteered in any respect for any local, state, or federal prosecutorial agency (for example, District Attorney, Attorney General, U.S. Attorney, etc.)? If yes as to yourself, please describe your job (if yes as to a person close to you, please describe your relationship to that person(s) and the person's job(s):

20. Do you know, or recognize by sight or reputation anyone who works for the U.S. Attorney's Office in the Eastern District of Wisconsin? If yes, who?

21. Have you or anyone close to you ever been employed in any capacity or volunteered in any respect for any local, state, or federal criminal defense organization (for example, a public defender or legal aid organization)? If yes as to yourself, please describe your job (if yes as to a person close to you, please describe your relationship to that person(s) and the person's job(s):

22. Do you know, or recognize by sight or reputation anyone who works for the Federal Defender Services of Wisconsin in the Eastern District of Wisconsin?
If yes, who?

23. Have you or anyone close to you, ever worked in any capacity in any federal, state, or local Department of Corrections, prison, jail, Board of Prisons, Pardons Parole Board or probation agency, any Youth Authority or any correctional or detention facility? If yes as to yourself, please describe your job (if yes as to a person close to you, please describe your relationship to that person(s) and the person's job(s):

24. Have you ever ***applied for a job*** with any federal, state or local law enforcement department, prosecutor's office, or Department of Corrections, or other agency as described above? _____Yes _____No
If yes, please explain:

25. Have you, or has anyone close to you, ever been employed by any United States (Federal) Government Agency in any capacity? If yes as to yourself, please describe your job (if yes as to a person close to you, please describe your relationship to that person(s) and the person's job(s):

26. Have you or anyone close to you worked (with or without pay) in a law-related job or profession (for example, for a law firm, a legal department of a corporation)? If yes as to yourself, please describe your job, including what kind of law was involved (if yes as to a person close to you, please describe your relationship to that person(s) and the person's job(s), including what kind of law was involved):

27. Do you know anyone who works in a courthouse, including lawyers, judges and court personnel? If yes, please describe your relationship to the person, where the person works and describe what he or she does:

28. Have you ever attended a meeting, sponsored an effort, or supported any group that deals with victims' rights or assistance? If yes please explain.

29. Please check the response that best describes your personal belief regarding each of the following statements.

(a) A criminal defendant is innocent until proven guilty beyond a reasonable doubt.

___Strongly Agree ___Somewhat Agree ___Somewhat Disagree ___Strongly Disagree

(b) If a person is brought to stand trial in a criminal case, the person is probably guilty.

___Strongly Agree ___Somewhat Agree ___Somewhat Disagree ___Strongly Disagree

(c) The testimony of law enforcement officers is not entitled to greater or lesser weight merely because they are law enforcement officers.

___Strongly Agree ___Somewhat Agree ___Somewhat Disagree ___Strongly Disagree

(d) There are too many technicalities in the law that allow guilty people to go free.

___Strongly Agree ___Somewhat Agree ___Somewhat Disagree ___Strongly Disagree

- (e) Regardless of what the law says, a criminal defendant should be required to prove his/her innocence.

___ Strongly Agree ___ Somewhat Agree ___ Somewhat Disagree ___ Strongly Disagree

- (f) Even though the law says a defendant has the right not to testify, an innocent person accused of a crime should testify.

___ Strongly Agree ___ Somewhat Agree ___ Somewhat Disagree ___ Strongly Disagree

30. Have you, or your spouse or partner (and, if applicable, former spouse or partner) ever belonged to any civic, social, political, environmental, professional or trade clubs or organizations for example, choir, unions, sports leagues, church or synagogue, NRA, PTA, Junior League, Rotary, etc.)? If yes, please identify the group and any leadership positions you, or your spouse or partner (or former) have held:

In addition, to what groups have you, or your spouse/domestic partner donated money or volunteered time?

31. Do you belong to a church, synagogue, mosque or any other religious community?

___ Yes ___ No

If yes, which one? _____

How often do you attend services? _____

Do you now or have you ever had a position of leadership in your religious community?

___ Yes ___ No

If yes, please explain:

32. Have you or has anyone close to you ever been a member of the Masons (Freemasons) or any of the affiliated organizations (e.g. Scottish Rite or York Rite, Shriners, Eastern Star, Rainow Girls, etc.) and/or have you visited a Masonic lodge or building where meetings/ceremonies take place? If yes, please explain.

33. (a) Do you have any personal experience with people who are Muslim, or practice the Muslim (Islam) religion? If yes, please explain.

(b) Have your experiences with people who are Muslim generally been:

____ Positive ____ Negative ____ Mixed ____ Not Applicable

(c) What are your thoughts or opinions about Muslims or about Islam?

(d) Do you believe that Muslims or people of Arab descent are more or less law abiding than other people?

____ More law abiding ____ Less law abiding ____ About the same as others

(e) Some people think that people who are Muslim are more likely to be violent than people of other faiths. What do you think?

(f) Do you believe that Muslims or people of Arab descent are generally more truthful, less truthful or about the same as other people?

____ More truthful ____ Less Truthful ____ About the same as others

(g) Do you think prejudice against Muslims or people of Arabic descent is a problem in Wisconsin? ____ Yes ____ No
Please explain.

34. (a) What are your thoughts and opinions about the immigration policies of the United States?

(b) Some people believe that we allow too many people who are not citizens of our country to *legally* immigrate to the U.S. to work or attend school, and that we give these immigrants too many rights. What do you think?

(c) Do you know, have any experience with, or an opinion about people who identify as Jordanian or Palestinian? _____Yes _____No
If yes, please explain.

35. Have you ever visited Israel and/or Palestine? If yes, please state where you visited and the reason/s for your visit?

36. (a) How aware/concerned are you about conflicts between Israel/Palestine?

_____More than most people I know
_____About the same as most people I know
_____Less than most people I know

(b) What is your view regarding the conflicts between Israelis and Palestinians?

_____My sympathies are more with the Israelis
_____My sympathies are more with the Palestinians
_____My sympathies are about equal on both sides.
_____No opinion

(c) What opinions have you heard your friends and family members express about the conflicts between Israelis and Palestinians

37. (a) What is your primary source of news (e.g. newspapers, internet, TV, radio, social media, word-of-mouth, etc.)?

(b) How often do you read a newspaper, or read news on social media including on-line editions of newspapers, and which newspaper/s or social media sites do you read?

(c) What news or talk radio programs do you listen to on the radio, and how often?

(d) Do you watch local TV news? _____ Yes _____ No
If yes, which station(s) and how often?

(e) Have you ever called into a talk show, or written a letter to the editor or made an on-line comment to express your opinion about an issue? ____ Yes ____ No
If yes, what was the issue(s)?

38. Have you ever attended a protest rally, march or demonstration? If yes, please explain.

39. Have you ever served on a jury before? If yes, please complete for each case on which you served:

Civil or Criminal? _____

Charges/ Allegations _____

When? _____

Where? _____

Did the Jury Reach a verdict? _____

Were you the foreperson? _____

Is there anything about the experience that would make you want to serve, or not serve, on a jury again? Please explain:

40. Have you ever served on a grand jury? If yes, when and where?

41. Have you or a close friend or relative, been the victim of, or witness to, any kind of crime, in which a person was injured, killed or in danger (even if it was not reported to law enforcement)? If yes, please briefly describe that situation.

42. Have you ever had to appear in court, or in any court proceeding (for example, court trial, court or administrative hearing, civil or criminal deposition, etc.)? If yes, please explain:

43. Do you know anyone who has lost a loved one as a result of a crime, or had a loved one injured or put in danger because of a crime? If yes, please describe the circumstances.

44. In the past 10 years, what court cases have you followed with interest? What interested you about these cases?

45. What is your opinion of attorneys who prosecute people accused of crimes?

What is your opinion of criminal defense attorneys?

46. (a) Are you a gunowner or do you have guns in your household? If yes, what kind/s of guns and what is the purpose of having them?

(b) Have you ever been to a firing range? If yes, please explain the circumstance/s?

(c) Do you have a concealed carry permit, or do you plan to get one? Why or why not:

(d) What is your opinion about whether there should be laws in effect for greater gun control in our country?

(e) Have you ever been a part of any group or effort that seeks to modify gun laws? If yes, please explain.

(f) Have you ever handled a gun? If yes, under what circumstances?

47. Are you familiar with any case, investigation or situation that involves a confidential informant, or do you know anyone who has ever worked as a confidential informant? If yes, please explain.

48. Are you familiar with any situation in which a person was recorded, either on audio or video, without their knowledge --- so one person in the conversation or situation was recording without the other person's knowledge? If yes, please explain.

49. Our justice system permits, in certain situations, a defense called an "entrapment defense." An entrapment defense alleges that law enforcement, and people working for them, went too far by encouraging people to commit crimes that they otherwise would not have committed.

Some people believe that this type of defense should not be allowed, and they would not be open to considering it. What, if any, is your opinion?

50. Some people believe that law enforcement officers are too restricted in what they are allowed to do when trying to catch criminals. What is your opinion?

51. The defendant in this case is Samy Hamzeh. Mr. Hamzeh is charged with illegally obtaining machine guns. The government believes claims he planned an attack on the Masonic Center in Milwaukee to kill people there. Mr. Hamzeh has plead not guilty to these charges.

There has been publicity about this case in the news media. There is nothing at all wrong about your having read or heard of the case, or having discussed the case, or having opinions about the case. We simply need to know what you know or have heard about the case, and what your thoughts and opinions are.

(a) How would you describe the amount of media coverage you have seen about this case:

- _____ A great deal (went out of my way to read about it and watch news accounts of it)
- _____ Quite a bit (read many articles or watched television accounts)
- _____ Moderate amount (just basic coverage in the news)
- _____ Little (basically just heard about it)
- _____ None (have not heard of case before today)

(b) Has your information about the defendant or this case come from: (check all that apply):

- _____ Hearing people talk about it
- _____ Newspaper(s)
- _____ Print periodicals/magazines
- _____ Television
- _____ Radio
- _____ Internet
- _____ Personally experiencing or witnessing:

(c) If you checked "newspaper(s)," please list the newspaper or newspapers in which you have read about this case.

(d) Please describe what you remember reading about the case in the newspaper(s), including any stories or pictures that particularly stand out in your mind:

(e) Have you heard about this case on the radio or seen it on television? If yes, which stations or programs?

(f) Please tell us what you remember hearing about the case on the radio, including any programs, news reports or talk shows that particularly stand out in your mind.

(g) Have you heard or seen news about this case on the internet? If yes, please indicate your main sources of on-line information about the case or the defendant.

(h) Please tell what you remember having read, heard or seen about this case on the internet.

(i) Have you used Google or other similar search engines to find information about this case, or about any of the people or events involved in it?

(j) Have you written any on-line comments or posts about any aspect of this case? If yes, what have you said?

52. (a) In addition to what you have written above, what kinds of things have you heard other people say about this case, or about any matters related to this case?

(b) What kinds of things have you said to other people about this case, or about any matters related to this case?

(c) Before coming here today what were your thoughts and opinions about this case?

53. Have you or has anyone that you know in any way been involved in or affected by the events in this case? If yes, please explain.

54. Have you or has anyone you know been in any way impacted by any events that involved foreign or domestic terrorism, or threats or fears of terrorism? If yes, please explain.

55. What did you think or feel when you realized you were being considered as a potential juror in this particular case?

56. If you or someone close to you were charged with a crime, would you be satisfied with someone who thinks like you as a juror? Please explain.

57. The trial of this case could take up to two weeks. Do you currently have any situation in your life that you believe is extreme or severe enough that you should be excused from jury service due to hardship (medical, personal, family, professional)? If yes, please explain.

58. What is the condition of your hearing?

- ☐ No problems at all
- ☐ Have difficulty hearing
- ☐ Have problems, but they are corrected with a hearing aid

59. What is the condition of your eyesight?

- _____ No problems at all
- _____ Have difficult seeing
- _____ Have problems, but they are corrected by glasses/contacts

60. Based on this questionnaire, or anything you've heard, or for any other reason, are you thinking to yourself at this moment that I am leaning towards or favoring the prosecution?

61. Is there any matter not covered by this questionnaire that should be brought to the attention of the Court because it would affect your ability to decide whether the defendant is guilty or not guilty of the crimes charged? If yes, please tell us what it is:

62. Is there anything else that you would like to tell us, or that you feel we should know about you?

I declare under the penalty of perjury that all my answers to the questions on this questionnaire are true and correct to the best of my knowledge and belief.

(Your Signature)

Date

PLEASE USE THESE PAGES TO CONTINUE ANY OF YOUR ANSWERS TO THE ABOVE QUESTIONS. BE SURE TO INDICATE THE NUMBER OF THE QUESTION YOU ARE ANSWERING: